

Is your town Farm Friendly? A Checklist for Sustaining Rural Character

Practical Land Use Ordinances and Regulations

Does your town....

- Have a detailed section on agriculture in the town Comprehensive Plan? The Comprehensive Plan is the big picture view of what land uses are encouraged, protected, or excluded within a town. Does your town's comprehensive plan refer to "maintaining rural character" but overlook agriculture as a primary component? Agriculture shouldn't be an afterthought!

- Allow agriculture uses in more than one zoning district? Agricultural businesses are not the same as other commercial development. Some towns confine agricultural businesses to commercial zones only, while other towns prohibit such uses in the commercial zone! Farm enterprises are often hybrids of several different uses; ordinances and regulations should allow farm businesses flexibility.

- Allow simpler design standards for site plan regulations on agricultural businesses limited to seasonal use? Simpler design standards for certain aspects of Site Plan review regulations make sense for agricultural uses, such as parking requirements for seasonal retailing or events. When ag uses are limited in scope and impact, they need not be treated as if they were year round permanent businesses. Does your town apply the same site design requirements to a seasonal farm stand as to a grocery store?

- Allow flexibility in regulations to accommodate the unusual needs of ag businesses?

- Require buffer zones between farmland and residential uses? The old saying



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"good fences make good neighbors" has a modern corollary that says "good buffer zones make new neighbors good neighbors." New development should not place a burden on existing farms to give up boundary land as a buffer zone between ag and residential uses. New residential development should provide for its own buffer zone and/or landscape plantings for screening when necessary.

- Provide for the agricultural use of open space land created by innovative residential subdivisions? Many towns have adopted innovative subdivision regulations like cluster housing, which provide for setting aside open space land within the subdivision. Ideally such land should be the most valuable ag land, be big enough for commercial agricultural purposes, and specifically allow long term agricultural use to provide consistent resource management. Smaller plots of set aside land could accommodate community gardens. Land set aside for open space can stay productive agricultural land *and* contribute to the ecological health and scenic quality of the area – instead of becoming grown over with brush.

- Allow off-site signs to attract and direct farm stand customers?

- Allow accessory uses to agriculture? Remember, it is not just the farmland that makes farming possible: businesses related to agriculture (veterinarians, equipment and supply dealers, custom farm providers, feed milling and delivery, etc.) have to be close enough to serve farmers' needs.

Fair Enforcement of Regulations

Does your town....

- Have a consistent policy approach for local land use procedures that deal with agriculture? Planning Boards, Zoning Boards and Conservation Commissions have different responsibilities, but a common regulatory approach is possible. Update your comprehensive plan to express the value

agriculture contributes to your town's quality of life through open space, wildlife habitation, watershed purification and natural resource preservation. Establish a policy presumption that agriculture is of beneficial use in your town and fairness will follow.

- Have a good idea of how much agriculture there is in town? Consider having a Town appointed committee formulate an Agricultural Profile to demonstrate the economic, cultural and resource stewardship value of agriculture in your Town. People often carry the misconception that "there is no agriculture in our town" if they don't see cows and red barns.

- Allow roadside stands or pick-your-own operations by right? Write flexibility into ordinances and regulations that may apply to ag land uses so the intent is clearly to promote such use, not to deny because the rules don't fit the unique situations that frequently arise with agricultural businesses.

- Use zoning definitions such as "agricultural accessory uses" in a broad and inclusive manner.

- Allow farm stands to sell produce produced elsewhere? Many towns have rules that a certain percentage of farm stand produce be grown on the farm. The unintended consequence is to penalize farm operators who have a crop failure! The rational basis for allowing a farm stand should not only be how much is grown on the farm but what benefit the farm provides to the town from the open space, wildlife habitat, and natural resource preservation it accomplishes.

- Properly assess specialized agricul-



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tural structures? Specialized structures such as silos, milking parlors, and permanent greenhouses depreciate in value over time. Providing assessors with depreciation schedules may enable more accurate valuations, which can lead to lower assessments. If your town frequently overvalues agriculture structures, this can have a chilling effect on all types of farm investment.

- Allow nontraditional or retail-based farm businesses in an agricultural zoning district? Agricultural businesses do not all look alike. Trying to decide what constitutes an agricultural business can involve splitting hairs to make unfamiliar distinctions between what is “commercial” and what is “agricultural.” Ordinances defining agriculture based on state law may be accurate, yet need local interpretation. Your town should recognize that newer types of farm businesses such as horse arenas, landscape nurseries, or greenhouses are more intensive in land use but still carry valuable elements of rural character that benefit the town.

- Address agricultural structures in building and safety codes?

Understanding & Encouraging Farming Does your town....

- Consider farmland a natural resource and encourage conservation easements, discretionary easements and purchase of farmland? Easements and outright purchases of farmland ensure preservation of the natural resource base for agriculture.

Once a town applies these techniques, the benefits of keeping farmland in private ownership can be more clearly appreciated. By understanding and allowing for the pe-



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cularities of agricultural land use, towns can encourage working farms that contribute to the town’s well being at no cost to the taxpayer.

- Have any visible demonstration of the value of agriculture? Does your town have a county fair, an apple festival, or an Old Home Day parade? Making agriculture visible to the general public helps establish the economic, cultural and resource stewardship value of having active farms in a town.

- Have farmers serving on local land use Boards, and Commissions? There are few better ways to incorporate agricultural concerns into local land use ordinances and regulations than having farmers serve.

- Have farmers serve on the local eco-

nomie development committee?

- Know where to get advice and assistance on farm questions? Make the connection between the Maine Department of Agriculture (Industry regulator, statewide perspective and technical assistance); the Cooperative Extension Service (technical questions and assistance); and the Soil and Water Conservation Services (land and water resource management).

Your Results...

If you answered YES on 18-21 questions, your town is especially helpful to farmers.

14-17? Your town knows that farmers are good neighbors who provide lots of benefits to the quality of life, but you are not sure what to do to encourage them.

10-13? Careful! Your town may be less farm friendly than you think, even inadvertently friendly.

6-9? Time to get to work helping your fellow citizens understand the importance of protecting its agricultural Base.

3-5? Yours is not a farm friendly town, but there still may be hope. Seek help immediately from farmers, farm groups and related organizations.

0-2? Ask yourself what you like about your town and what it would be like without any agriculture whatsoever. If there are any farmers left in town, take them out to dinner and ask them to help you turn over a new leaf. ■

This checklist was prepared by the New Hampshire Coalition for Sustaining Agriculture.



Friends of Midcoast Maine is working to address the issues of sprawl, big box dependent commercial development, loss of farmland and open space, the decline of our neighborhoods and the loss of pedestrian friendly development. We focus on the midcoast region from Brunswick to Bucksport, Maine. For more information, please contact:

Friends of Midcoast Maine
 88 Elm Street
 Camden, Maine 04843
 (207) 236-1077
www.friendsmidcoast.org